

Applicant or Patentee: \_\_\_\_\_ Attorney's  
Serial or Patent No.: \_\_\_\_\_ Docket No.: \_\_\_\_\_

Filed or Issued: \_\_\_\_\_

For: \_\_\_\_\_



VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9(f) AND 1.27(b)) - SMALL BUSINESS CONCERN

I hereby declare that I am

- ☐ the owner of the small business concern  
identified below:  
☒ an official of the small business concern  
empowered to act on behalf of the concern  
identified below:

NAME OF CONCERN FERNWAY LIMITED

ADDRESS OF CONCERN Beech House, Greenhills Road, Tallaght,  
Dublin 24, Ireland.

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled \_\_\_\_\_

"A method and apparatus for transmitting data from an analogue modem to a digital modem from an analogue channel"

by inventor(s) described in

- ☒ the specification filed herewith.  
☐ application serial no. \_\_\_\_\_, filed \_\_\_\_\_.  
☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). \*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

[ ] INDIVIDUAL [ ] SMALL BUSINESS CONCERN [ ] NONPROFIT ORGANIZATION

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

[ ] INDIVIDUAL [ ] SMALL BUSINESS CONCERN [ ] NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

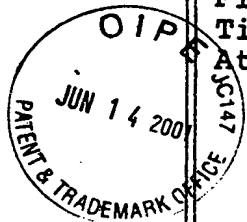
NAME OF PERSON SIGNING Michael Brian O'Sullivan

TITLE OF PERSON SIGNING Director

ADDRESS OF PERSON SIGNING 9 Deerpark Drive, Castleknock, Dublin 15, Ireland.

SIGNATURE Michael B O'Sullivan DATE 15 March 2001

Applicant or Patentee: \_\_\_\_\_  
Serial or Patent No : \_\_\_\_\_  
Filed or Issued : \_\_\_\_\_  
Title : \_\_\_\_\_  
Attorney's Docket No : \_\_\_\_\_



**VERIFIED STATEMENT CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9(f) and 1.27(d) - INDEPENDENT INVENTOR**

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(C) for purposes of paying reduced feeds under § 419a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled "A method and apparatus for transmitting data from an analogue modem to a digital modem through an analogue channel"

described in

- ☒ the specification filed herewith  
☐ application serial No. \_\_\_\_\_, filed \_\_\_\_\_  
☐ patent No \_\_\_\_\_, issued \_\_\_\_\_

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(c) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☐ no such person, concern, or organization  
☒ persons, concerns or organizations listed below\*

\*Note: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

FULL NAME FERNWAY LIMITED

ADDRESS Beech House, Greenhills Road, Tallaght, Dublin 24, Ireland.

☐ Individual ☒ Small Business Concern ☐ Nonprofit  
Organization

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐ Individual ☐ Small Business Concern ☐ Nonprofit  
Organization

FULL NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐ Individual ☐ Small Business Concern ☐ Nonprofit  
Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

MICHAEL MCLAUGHLIN

BRIAN O'SULLIVAN

MICHAEL MAGUIRE

NAME OF INVENTOR

NAME OF INVENTOR

NAME OF INVENTOR

*Michael McLaughlin*

*Brian O'Sullivan*

*Michael Maguire*

Signature  
of Inventor

Signature  
of Inventor

Signature  
of Inventor

*20 APR 01*

*20<sup>th</sup> April 2001*

*24 APR 01*

Date April 20. 2001

Date April 20. 2001

Date April 20. 2001

BILLY VERSO

NAME OF INVENTOR

*Billy Verso*

Signature of Inventor

Date April 20. 2001

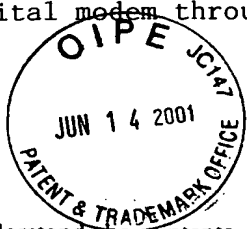
**DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name: that I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural names are listed below) of the subject matter claimed and for which a patent is sought in the application entitled:

"A method and apparatus for transmitting data from an analogue modem to a digital modem through an analogue channel"

which application is:

X the attached application  
(for original application)



\_\_\_\_\_ application Serial No. \_\_\_\_\_  
filed \_\_\_\_\_, and amended on \_\_\_\_\_

(for declaration not accompanying application)

that I have reviewed and understand the contents of the specification of the above-identified application, including the claims, as amended by any amendment referred to above; that I acknowledge my duty to disclose information of which I am aware which is material to the patentability of this application under 37 C.F.R. 1.56, that I hereby claim foreign priority benefits under Title 35, United States Code §119, §172 or §365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified on said list any foreign application for patent or inventor's certificate on this invention having a filing date before that of the application on which priority is claimed:

Application Number	Country	Filing Date	Priority Claimed (yes or no)
S2000/0219	Ireland	22 March, 2000	YES

I hereby claim the benefit of Title 35, United States Code §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in a listed prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge my duty to disclose any information material to the patentability of this application under 37 C.F.R. 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Filing Date	Status (patented, pending, abandoned)
------------------------	-------------	--

I hereby appoint John H. Mion, Reg. No. 18,879; Donald E. Zinn, Reg. No. 19,046; Thomas J. Macpeak, Reg. No. 19,292; Robert J. Seas, Jr., Reg. No. 21,092; Darryl Mexic, Reg. No. 23,063; Robert V. Sloan, Reg. No. 22,775; Peter D. Olexy, Reg. No. 24,513; J. Frank Osha, Reg. No. 24,625; Waddell A. Biggart, Reg. No. 24,861; Robert G. McMorrow, Reg. No. 19,093; Louis Gubinsky, Reg. No. 24,835; Neil B. Siegel, Reg. No. 25,200; David J. Cushing, Reg. No. 28,703; John R. Inge, Reg. No. 26,916; Joseph J. Ruch, Jr., Reg. No. 26,577; Sheldon I. Landsman, Reg. No. 25,430; Richard C. Turner, Reg. No. 29,710; Howard L. Bernstein, Reg. No. 25,665; Alan J. Kasper, Reg. No. 25,426; Kenneth J. Burchfiel, Reg. No. 31,333; Gordon Kit, Reg. No. 30,764; Susan J. Mack, Reg. No. 30,951; Frank L. Bernstein, Reg. No. 31,484; Mark Boland, Reg. No. 32,197; William H. Mandir, Reg. No. 32,156; Scott M. Daniels, Reg. No. 32,562; Brian W. Hannon, Reg. No. 32,778 and Abraham J. Rosner, Reg. No. 33,276, my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and request that all correspondence about the application be addressed to **SUGHRUE, MION, ZINN, MACPEAK & SEAS**, 2100 Pennsylvania Avenue, N.W., Washington, D.C. 20037-3202.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date 20 APR 01  
April 20, 2001  
Residence 12 Mount Eagle Park,  
Leopardstown, Dublin 18,  
Ireland.  
Citizenship An Irish citizen

First Inventor Michael McLaughlin  
First Name Middle Initial Last Name  
Signature   
Post Office Address 12 Mount Eagle Park, Leopardstown,  
Dublin 18, Ireland.

Date April 20, 2001  
Residence 9 Deerpark Drive, Castleknock, Dublin 15, Ireland.  
Citizenship An Irish citizen.  
Second Inventor Brian O'Sullivan  
First Name Middle Initial Last Name  
Signature [Signature]  
Post Office Address 9 Deerpark Drive, Castleknock, Dublin 15, Ireland.

Date April 20, 2001  
Residence 3 Hillcrest Downs, Lambs Cross Sandyford, County Dublin, Ireland  
Citizenship An Irish Citizen.  
Third Inventor Michael Maguire  
First Name Middle Initial Last Name  
Signature [Signature]  
Post Office Address 3 Hillcrest Downs, Lambs Cross, Sandyford, County Dublin, Ireland.

Date April 20, 2001  
Residence 10 Parklands Way, Maynooth, County Kildare, Ireland.  
Citizenship An Irish citizen.  
Fourth Inventor Billy Verso  
First Name Middle Initial Last Name  
Signature [Signature]  
Post Office Address 10 Parklands Way, Maynooth, County Kildare, Ireland.

Date \_\_\_\_\_  
Residence \_\_\_\_\_  
Citizenship \_\_\_\_\_  
Fifth Inventor \_\_\_\_\_  
First Name Middle Initial Last Name  
Signature \_\_\_\_\_  
Post Office Address \_\_\_\_\_

Date \_\_\_\_\_  
Residence \_\_\_\_\_  
Citizenship \_\_\_\_\_  
Sixth Inventor \_\_\_\_\_  
First Name Middle Initial Last Name  
Signature \_\_\_\_\_  
Post Office Address \_\_\_\_\_

Date \_\_\_\_\_  
Residence \_\_\_\_\_  
Citizenship \_\_\_\_\_  
Seventh Inventor \_\_\_\_\_  
First Name Middle Initial Last Name  
Signature \_\_\_\_\_  
Post Office Address \_\_\_\_\_